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PTO/SB/21 (08-03)

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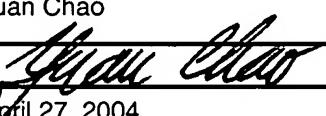
## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/648,946	
	Filing Date	August 26, 2003	
	First Named Inventor	Santi	
	Art Unit	as yet unknown	
	Examiner Name	as yet unknown	
Total Number of Pages in This Submission	11	Attorney Docket Number	010069.01

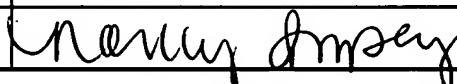
ENCLOSURES (Check all that apply)			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <div style="border: 1px solid black; padding: 2px; display: inline-block;">Remarks</div>	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Supplemental Information Disclosure Statement + Duplicate Form 1449 2. Postcard	

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Yuan Chao		
Signature			
Date	April 27, 2004		

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Nancy Impey		
Signature		Date	April 27, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop: \_\_\_\_\_ Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Appl'n of: Santi *et al.*

Appl'n No.: 10/648,946

Group Art Unit: (as yet unknown)

Title: MOTILIDE COMPOUNDS

Atty Ref. No.: 010069.01

Filed: Aug. 26, 2003

Examiner: (as yet unknown)

Mailing Address: Kosan Biosciences, Inc.  
Intellectual Prop. Dept.  
3832 Bay Center Place  
Hayward, CA 94545

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This Supplemental Information Disclosure Statement ("Supplemental IDS") is submitted to the Patent Office in accordance with the duty of candor and good faith under 37 CFR §1.56. The Examiner is requested to consider the cited information in the examination of this application.

The cited information is listed in the accompanying Form PTO-1449 (1 sheet total), submitted in duplicate. It was cited in the Search Report for the PCT counterpart of the instant application. A copy of the citing document, bearing a mailing date of 19 April 2004, is enclosed. The Examiner is requested to return an initialed and signed copy of the form PTO-1449, in accordance with MPEP §609.

**CERTIFICATE OF MAILING UNDER 37 CFR §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date given below with sufficient postage as first class mail in an envelope addressed to Box Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name of person signing certificate: Nancy Impay  
 Signature: Nancy Impay Date: 4.27.04

This application was filed after June 30, 2003. In accordance with the PTO announcement in 1276 OG 255 (Aug. 5, 2003), copies of US patents and published applications are not being furnished with this application.

The citation of a particular item of information is not intended to be, and should not be construed as, an admission that such item of information is material to patentability as defined in 37 CFR §1.56 or qualifies as "prior art" within the meaning of applicable law. The materiality and "prior art" status of any item of information is a matter to be resolved during examination.

This IDS is submitted under the provisions of 37 CFR §1.97(b)(3), that is, before the mailing of a first Office Action on the merits. Therefore, no fee, certification or other formality is required. However, in the event a fee is required, the Commissioner is authorized to charge such fee (including but not limited to any fee(s) that might be required under 37 C.F.R. §§1.16, 1.17, or 1.18) against Deposit Account No. 50-2544.

Consideration of the cited information in the examination of this application is respectfully requested.

Respectfully submitted,

  
\_\_\_\_\_  
April 27, 2004  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Yuan Chao  
Reg. No. 32,118  
Telephone (510) 751-5156  
Facsimile (510) 751-5143

Form PTO-1449   <b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket No. (optional) 010069.01	Application Number: 10/648,946
	Applicant: Santi <i>et al.</i>	
	Filing Date: Aug. 26, 2003	Group Art Unit:

FOREIGN PATENT DOCUMENTS							
Examiner Initial	Cite No. <sup>1</sup>	Document Number	Date	Country	Class	Sub-class	Translation Enclosed?

OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, etc.)</i>			
Examiner Initial	Cite No. <sup>1</sup>	Details of Document	Translation enclosed?

<i>Examiner</i>	<i>Date considered</i>
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**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

<sup>1</sup> Applicant's unique citation designation number (optional).

<b>Form PTO-1449</b> <b>SUPPLEMENTAL</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	<i>Docket No. (optional)</i> <b>010069.01</b> <i>Applicant:</i> <b>Santi <i>et al.</i></b> <i>Filing Date:</i> <b>Aug. 26, 2003</b>	<i>Application Number:</i> <b>10/648,946</b> <i>Group Art Unit:</i>
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FOREIGN PATENT DOCUMENTS							
Examiner Initial	Cite No. <sup>1</sup>	Document Number	Date	Country	Class	Sub-class	Translation Enclosed?

OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, etc.)</i>			
Examiner Initial	Cite No. <sup>1</sup>	Details of Document	Translation enclosed?

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